NO. 2017 –

A RESOLUTION authorizing the Executive Director to enter into an agreement with the University of Maryland for the analysis of ambient water samples from the Delaware River Estuary for primary productivity and associated nutrient parameters.

WHEREAS, the Eutrophication Model Expert Panel convened by the DRBC in December 2012 and 2016 recommended that the measurement of primary productivity to the monitoring programs underway to support the development of a eutrophication model for the Delaware River Estuary and Bay (Water Quality Zones 2 through 6); and

WHEREAS, primary productivity studies focused on Delaware Bay (Zone 6) were conducted in the spring and summer of 2014 by the University of Maryland's Horn Point Laboratory under DRBC Resolution No. 2013-6, dated July 10, 2013; and

WHEREAS, DRBC's application to the U.S. Environmental Protection Agency (EPA) for calendar year 2018 grant funds under Section 106 of the federal Clean Water Act includes $90,000 to investigate primary productivity and respiration of the phytoplankton community, focusing on Zones 2 through 5; and

WHEREAS, the method requirements for primary productivity analyses require highly specialized experience, the use of radioactive Carbon-14 (^{14}C), which is subject to special permitting, and a very short holding time, factors which limit the number of practitioners – whether commercial or academic – that have the capacity and are sufficiently proximate to the Estuary to perform the work; and

WHEREAS, Dr. Thomas Fisher of the University of Maryland's Horn Point Laboratory possesses the expertise, experience, and capacity to perform the analyses, the appropriate materials, including ^{14}C, and the necessary permits, and the Horn Point Laboratory is located within a two-hour drive of the Delaware Estuary; now therefore,

BE IT RESOLVED by the Delaware River Basin Commission:

1. The Executive Director is hereby authorized to enter into a two-year cooperative agreement with the University of Maryland, Horne Point Laboratory for performance of primary productivity and nutrient analyses. The total cost of the agreement shall not exceed $90,000 or the sum of this amount and additional funds expressly awarded to the Commission or allocated by it for this purpose.

2. Analyses will include primary production, planktonic respiration, chlorophyll-a and dissolved nutrients ($NH4^{+}$, $NO2^{-} + NO3^{-}$, $PO4^{-3}$).

3. In accordance with Section 14.9(5) of the Compact, the competitive bidding provisions of the Compact are hereby waived in view of the specialized and professional nature of the services to be procured.

4. This Resolution shall take effect immediately.

BY THE COMMISSION

ADOPTED: